

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Judiciary, to which was referred Senate Bill No. 145, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 3, line 35, delete "Any lingering doubt concerning the
- 2 defendant's guilt."
- 3 Page 3, line 36, delete "(9)".
- 4 Page 3, run in lines 35 through 36.
- 5 Page 4, line 4, delete "In addition, the court shall instruct the jury
- 6 as"
- 7 Page 4, delete lines 5 through 6.
- 8 Page 4, line 7, delete "weighs against the imposition of the death
- 9 penalty."."
- 10 Page 4, line 33, delete "may not sentence the defendant".
- 11 Page 4, delete line 34.
- 12 Page 4, line 35, delete "The court".
- 13 Page 4, line 35, after "jury" delete "," and insert ".".
- 14 Page 4, line 35, strike "proceed as if the hearing had".
- 15 Page 4, line 36, strike "been to the court alone,".
- 16 Page 4, line 36, delete "and impose a sentence other than death or"
- 17 and insert "**The court shall sentence the defendant to a term of**
- 18 **years, or to life imprisonment without parole. However, the court**
- 19 **may sentence the defendant to life imprisonment without parole**
- 20 **only if the jury has returned a special verdict form unanimously**
- 21 **finding the existence of at least one (1) alleged aggravating**

1 **circumstance beyond a reasonable doubt."**

2 Page 4, delete line 37.

(Reference is to SB 145 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 6, Nays 5.

Senator Bray, Chairperson